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16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19 ORACLE USA, INC., *et al.*,
20 Plaintiffs,
21 v.
22 SAP AG, *et al.*,
23 Defendants.
24

CASE NO. 07-CV-01658 PJH (EDL)

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO PERMIT PLAINTIFFS
TO FILE UNDER SEAL
DEFENDANTS' INFORMATION
SUPPORTING PLAINTIFFS'
MOTION TO COMPEL
PRODUCTION OF DAMAGES-
RELATED DOCUMENTS AND
INFORMATION**

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Case No. 07-CV-01658 PJH (EDL)

Pursuant to Local Rules 7-11(a) and 79-5(c), Plaintiffs Oracle USA, Inc., Oracle International Corporation, Oracle EMEA Limited and Siebel Systems, Inc. (“Plaintiffs”) and Defendants SAP AG, SAP America, Inc. and TomorrowNow, Inc. (“Defendants,” and together with Plaintiffs, the “Parties”) request that the Court order the Clerk of the Court to file under seal (1) certain portions of Plaintiffs’ Motion to Compel Production of Damages Related Documents and Information at pp. 6:28-7:1 and 12:5-12:16; (2) certain portions of the Declaration of Amy Donnelly in Support of Plaintiffs’ Motion to Compel Production of Damages Related Documents and Information (“Donnelly Declaration”) at ¶17; and (3) Exhibit B to the Donnelly Declaration. Plaintiffs lodged copies of this material with the Court on October 20, 2009.

10 The requested relief sought is necessary and narrowly tailored to protect the
11 alleged confidentiality of the content of Defendants' information put at issue by Plaintiffs'
12 Motion. This request is supported by the Declaration of Zachary Alinder in support of Plaintiffs'
13 Administrative Motion to Permit Plaintiffs to File Under Seal Defendants' Information
14 Supporting Plaintiffs' Motion to Compel Production of Damages-Related Documents and
15 Information and is accompanied by a proposed order and stipulation.

16 DATED: October 20, 2009 **17** BINGHAM McCUTCHEN LLP

19 By: /s/ Zachary Alinder

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Oracle International Corporation, Oracle EMEA
Limited, and Siebel Systems, Inc.